

U.S. Department of Justice
United States Marshals Service

Case 1:08-cv-01377 Document 10 Filed 03/24/2008 Page 1 of 5

PROCESS RECEIPT AND RETURN

4

PLAINTIFF UNITED STATES OF AMERICA	RECEIVED U.S. MARSHALS SERVICE 08 MAR 11 AM 8:35 N. DIST. CT. CLERK	COURT CASE NUMBER 08 C 1377
DEFENDANT FUNDS IN THE AMOUNT OF \$131,500, ET AL.		TYPE OF PROCESS PUBLICATION/ ARREST WARRANT

**SERVE
AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
UNITED STATES MARSHALS SERVICE

ADDRESS (Street or RFD, Apartment No., City, State, and ZIP Code)

219 SOUTH DEARBORN, ROOM 2444 CHICAGO, ILLINOIS 60604

SEND NOTICE OF SERVICE TO REQUESTER AT NAME AND ADDRESS BELOW:

Number of process to be served
with this Form - 285

Number of parties to be served
in this case

Check for service on U.S.A.

**PATRICK J. FITZGERALD, UNITED STATES ATTORNEY
UNITED STATES ATTORNEY'S OFFICE
219 SOUTH DEARBORN, ROOM 500
CHICAGO, ILLINOIS 60604
ATTENTION: DAN MAY, AUSA**

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Address, All Telephone Numbers, and Estimated Times Available For Service)

**PLEASE PUBLISH IN A NEWSPAPER OF GENERAL CIRCULATION ONCE.
08-DEA-492161 AND 08-DEA-490877.**

PREPARED BY: K. ELLIS

Signature of Attorney or other Originator requesting service on behalf of:

MARSHA MCCLELLAN AUSA

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER
(312) 353-5300

DATE
3/10/08

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process No. _____	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk	Date
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below).

Name and title of individual served (If not shown above).

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service

Time

3/13/08

11:00

☒ am
☐ pm

Signature of U.S. Marshal or Deputy

Melody Waldron

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount Owed to US Marshal or	Amount or Refund
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REMARKS:

FILED

MAR 24 2008 **MAR 24 2008**

**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**

Published Chicago Tribune 3/13/08 - 3/13/08

PRIOR EDITIONS MAY
BE USED

SEND ORIGINAL + 2 COPIES to USMS.

FORM USM 285 (Rev. 12/15/80)

ARREST WARRANT IN REM

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

08 C 1377
Judge Kennelly
Magistrate Judge Ashman

To the United States Marshals Service:

Whereas, on the 7th of March, A.D. 2008, a Verified Complaint for Forfeiture was filed in the United States District Court for said Northern District of Illinois, by PATRICK J. FITZGERALD, United States Attorney for said District, on behalf of the United States, against

two hundred twenty-two American Express Traveler's Checks in the amount of one hundred and eleven thousand dollars(\$111,000.00),

and praying that all persons interested in said property may be cited in general and special, to answer the premises; and due proceedings being had, that the said property may, for the causes in said complaint mentioned, be condemned as forfeited to use of the United States.

YOU ARE THEREFORE HEREBY COMMANDED to attach the said property and to detain the same in your custody until further order of said Court respecting the same; and to give notice by publication in the CHICAGO TRIBUNE to all persons claiming the same, or knowing or having anything to say why the same should not be condemned as forfeited to the use of the United States, pursuant to the prayer of said complaint, that they be and appear before the said Court, at the city of Chicago within thirty (30) days after giving of notice, if the same shall be a day of jurisdiction thereafter, then and there to interpose a claim or right against the property for the same and to make their allegations in that behalf and that they file and serve their answers within twenty (20) days after the filing of said claim. And what you have done in the premises, do you then and there make return thereof, together with this writ.

WITNESS THE HONORABLE

UNITED STATES DISTRICT JUDGE AT

DATE

CLERK

MICHAEL W. DOBBINS

MAR 15 2008

(BY) DEPUTY CLERK

Returnable

days after issue.

UNITED STATES MARSHALS SERVICE

DISTRICT

DATE THE WITHIN WRIT WAS RECEIVED AND
EXECUTED

Northern Illinois

3/13/08

U.S. MARSHAL

(BY) DEPUTY MARSHAL

Kim R. Wicks

Melody A. Waldron

ARREST WARRANT IN REM

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

08 C 1377
Judge Kennelly
Magistrate Judge Ashman

To the United States Marshals Service:

Whereas, on the 7th of March, A.D. 2008, a Verified Complaint for Forfeiture was filed in the United States District Court for said Northern District of Illinois, by PATRICK J. FITZGERALD, United States Attorney for said District, on behalf of the United States, against

funds in the amount of one hundred, thirty-one thousand and five hundred dollars (\$131,500.00),

and praying that all persons interested in said property may be cited in general and special, to answer the premises; and due proceedings being had, that the said property may, for the causes in said complaint mentioned, be condemned as forfeited to use of the United States.

YOU ARE THEREFORE HEREBY COMMANDED to attach the said property and to detain the same in your custody until further order of said Court respecting the same; and to give notice by publication in the CHICAGO TRIBUNE to all persons claiming the same, or knowing or having anything to say why the same should not be condemned as forfeited to the use of the United States, pursuant to the prayer of said complaint, that they be and appear before the said Court, at the city of Chicago within thirty (30) days after giving of notice, if the same shall be a day of jurisdiction thereafter, then and there to interpose a claim or right against the property for the same and to make their allegations in that behalf and that they file and serve their answers within twenty (20) days after the filing of said claim. And what you have done in the premises, do you then and there make return thereof, together with this writ.

WITNESS THE HONORABLE		UNITED STATES DISTRICT JUDGE AT	
DATE	CLERK	MICHAEL W. DOBBINS	
MAR 10 2008	(BY) DEPUTY CLERK	<i>[Signature]</i>	
Returnable		days after issue.	
UNITED STATES MARSHALS SERVICE			
DISTRICT		DATE THE WITHIN WRIT WAS RECEIVED AND EXECUTED	
Northern Illinois		3/13/08	
U.S. MARSHAL		(BY) DEPUTY MARSHAL	
Kim R. Wickup		Melody N. Waldron	

Chicago Tribune

CERTIFICATE OF PUBLICATION

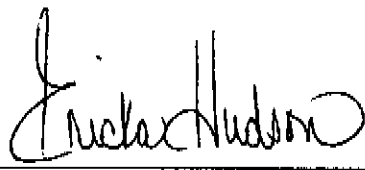
Chicago Tribune Company hereby certifies that it is the publisher of the Chicago Tribune; that the Chicago Tribune is an English language newspaper of general circulation, published daily in the City of Chicago, County of Cook and State of Illinois; that the Chicago Tribune has been so published continuously for more than one year prior to the date of first publication mentioned below and is further a newspaper as defined in Ill. Rev. Stat. Ch. 100, SS 5 & 10; that the undersigned is the duly authorized agent of the Chicago Tribune Company to execute this certificate on its behalf; and that a notice of which the annexed is a true copy was printed and published in said newspaper (1) times(s) and on the following dates:

Starting 03/13/08 and Ending 03/13/08

the first publication being on the earliest of said dates and the last publication being on the latest of said dates.

Executed at Chicago, Illinois this 13TH day of March, 2008.

CHICAGO TRIBUNE COMPANY

By 

Chicago Tribune - chicagotribune.com
435 North Michigan Avenue, Room 1015 - Chicago, Illinois 60611
(312) 222-3232 - Fax: (312) 222-4014

NOTICE OF
FORFEITURE ACTION

On March 7, 2008 the United States Attorney for the Northern District of Illinois filed a Verified Complaint for Forfeiture against funds in the amounts of \$131,500 and 222 American Express Traveler's Checks in the amount of \$111,000, pursuant to 21 U.S.C. § 881 and two Arrests Warrants in Rem were issued by the Clerk of the Court.

Pursuant to Rule G(4)(b) of the Supplemental Rules for Admiralty and Maritime Claims for Forfeiture Actions, direct notice of this action was sent to Stephen M. Kormie, attorney for Richard Lynch on March 10, 2008.

Any person who asserts an interest in the defendant property may contest the forfeiture by filing a claim in the United States District Court, Northern District of Illinois, at 219 South Dearborn Street, 20th Floor, Chicago, Illinois 60604 under case U.S. v. Funds In The Amount of One Hundred, Thirty-One Thousand and Five Hundred Dollars (\$131,500.00) and Two Hundred Twenty-Two American Express Traveler's checks in the Amount of One Hundred and Eleven Thousand Dollars (\$111,000.00) by April 14, 2008 in accordance with Rule G(5) of the Supplemental Rules for Admiralty and Maritime Claims for Forfeiture. Additionally, a claimant must serve and file an answer to the complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure within 20 days after filing the claim.

Claims and Answers are to be filed with the Clerk, United States District Court for the Northern District of Illinois, at 219 South Dearborn Street, 20th Floor, Chicago, Illinois 60604 with a copy thereof sent to Assistant United States Attorney Daniel E. May at 219 South Dearborn Street, Room 500, Chicago, Illinois 60604.

DATED: March 10, 2008